

Sector

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PATENT
Attorney Docket No. SALK2410
(088802-5650)

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

Date of Deposit: 7/3/01

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Stephen E. Reiter

Printed Name

Stephen E. Reiter, Reg. No. 31.192

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Noel et al.

Serial No.: 09/733,773

Filing Date: December 8, 2000

For: CRYSTAL STRUCTURE OF WW
DOMAINS AND METHODS AND USE
THEREOF

Examiner: Unknown

Group Art Unit: Unknown

TRANSMITTAL

Box Sequence
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed please find the following:

- [X] Response to Notice of Incomplete Reply
- [X] Copy of Notice of Incomplete Reply.
- [X] Computer Disk Containing Sequence Listing
- [X] Sequence Listing Paper Copy
- [X] A Petition for Extension of Time.
- [X] A check in the amount of \$195.00.
- [X] Return postcard

In re Application of
Noel et al.
Application No. 09/733,773
Page 2

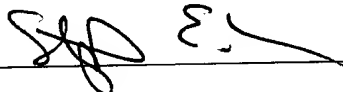
PATENT
Attorney Docket No. SALK2410
(088802-5650)

A check in the amount of \$195.00 to cover the petition fee is enclosed. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this transmittal, or to credit any overpayment, to Deposit Account No. 50-0872. A duplicate copy of this Transmittal sheet is enclosed.

Respectfully submitted,

Date 7/3/61

FOLEY & LARDNER
402 West Broadway
23rd Floor
San Diego, California 92101-3542
Telephone: (619) 685-6445
Facsimile: (619) 234-3510

By 

Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192



Atty. Dkt. No. SALK2410
(088802/5650)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Noel et al.

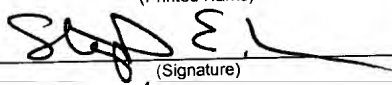
Title: CRYSTAL STRUCTURE OF WW
DOMAINS AND METHODS AND
USE THEREOF

Appl. No.: 09/733,773

Filing Date: 12/08/2000

Examiner: Unknown

Art Unit: Unknown

<p align="center">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.</p> <p align="center">Stephen E. Reiter, Reg. 31,192 (Printed Name)</p> <p align="center"> (Signature)</p> <p align="center">7/3/01 (Date of Deposit)</p>
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RESPONSE TO NOTICE OF INCOMPLETE REPLY

Commissioner for Patents
Box Sequence Listing
Washington, D.C. 20231

Sir:

Enclosed is an amended Sequence listing in CRF and paper form. Please recognize that due to the fact that the "attached copy of the marked-up "Raw Sequence Listing"" was not enclosed with the Office Action mailed on 06/04/2001, the attached sequence listing has been prepared based on a good faith effort to comply with the sequence listing rules. A copy of the marked-up sequence listing has been requested by telephone, but due to the short timeframe for response, an amended sequence listing has been prepared for prompt submission without benefit of the error report. The enclosed sequence listing was processed using the Checker version 3.0 software provided by the PTO, and found to be error free. Recognizing that previous concerns were based on allegedly inadequate descriptions of sequences with an organism constituting an artificial sequence, guidance was sought from the PTO rules interpretation division in order to clarify what constitutes compliance. Based on the suggestions and explanations provided by Bob Wax, all descriptions with an artificial sequence listed have been further defined.

In re application of
Noel et al.
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Atty. Dkt. No. SALK2410
(088802/5650)

If an error identified in the "marked-up copy" has not been corrected, please recognize that a good faith effort has been made to comply with the Sequence Listing rules in this submission based on the utilization of the PTO Checker Version software, and discussion with PTO employee Bob Wax.

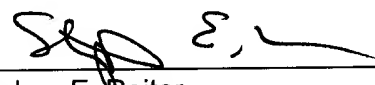
In connection with the Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the content of the attached paper copy and the enclosed computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and
2. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter.

Respectfully submitted,

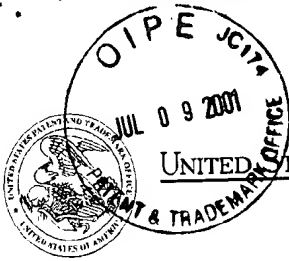
Date: _____

7/3/01



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/733,773	12/08/2000	Joseph P. Noel	SALK2410

CONFIRMATION NO. 2948

FORMALITIES LETTER



OC000000006145824

Stephen E. Reiter
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Suite 2300
402 West Broadway
San Diego, CA 92101-3542

Date Mailed: 06/04/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Negan

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE